REMARKS

Status of Claims

Claims 1-25 are pending in the instant application. Claims 1-25 stand finally rejected. Favorable reconsideration is respectfully requested in light of the following amendments, declaration and remarks.

Non-Compliant Amendment

The Examiner indicated that Applicant's previous amendment is non-compliant for stating claims 1, 12, and 18 were "previously amended", instead of "previously presented". Applicant submits herewith a new version of the marked-up claims to correct this clerical error. Note also, that the status of claim 13 has been also noted herein as "previously presented", since the Examiner indicated in the Office Action that the amendment to claim 13 was acknowledged. No new matter is presented with this revision and Applicant respectfully requests entry of these amendments as now being compliant.

Rejection under 35 USC 112

Claims 13-17 stand rejected under 35 USC 112, second paragraph for the use of the recitation "capable of" in claim 13.

Applicant respectfully traverses this rejection, as it is common practice to use this term, and it does not render the presented claims indefinite to one skilled in the art. In fact a recent search of claims in patents issued since 1976 resulted in 191,663 patents using this term, as shown in the attached printout from the USPTO database dated 5/19/2004. Of those 191,000 patents, five were issued by Examiner El-Arini, including recently-issued USP 6,604,535 (issued Aug. 12, 2003); which includes this term in each of the independent claims; and the '535 patent has four instances of this term in the first claim

alone. A finding that this term per se is indefinite would appear to render each of the claims in those nearly 200,000 patents invalid.

Accordingly, Applicants believe that the rejected claims are not indefinite and this rejection is therefore improper and should be withdrawn.

Rejection under 35 USC 103

Claims 1-25 remain rejected under 35 USC 103(a) as being unpatentable over Mulligan et al (6,454,873) in combination with Yount (4,300,955) and Dong (6,251,224).

The Examiner indicated that Applicant's first declaration, which was presented to swear behind Mulligan, was ineffective for failing to include evidence to establish conception.

To preclude reliance by the Examiner upon the Mulligan et al. patent, Applicant submits herewith a new Declaration under 37 C.F.R. § 1.131 of John W. Yount, inventor, and includes evidence to support this assertion, as requested by the Examiner. In accordance with recognized practice, the inventor demonstrates invention prior to the filing date of the Mulligan et al application.

The effective U.S. filing date of the Mulligan et al. patent is May 11, 1999. Mr. Yount's Declaration is effective to show completion of the claimed invention before May 11, 1999 (the date on top of the fax is shown as Apr. 99) and diligence through reduction to practice. Thus, any further use of the Mulligan et al. patent in a rejection should be avoided.

Applicants respectfully submit that the above Declaration under 37 C.F.R. §1.131 removes Mulligan et al as a reference. None of the other references cited teach or suggest the subject matter of the Mulligan et al patent relied upon for the basis of the rejection, and therefore Applicant believes the Declaration therefore obviates the rejections under 35 USC §103. Accordingly,

Applicants respectfully request that the 35 USC §103 rejection of claims 1-25 be withdrawn.

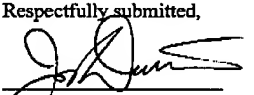
CONCLUSION

Applicants submit that claims 1-25 are allowable. The Examiner is invited to telephone the Applicants' undersigned agent at (740) 321-7167 if any unresolved matters remain.

If any questions should arise with respect to the above Remarks, or if the Examiner has any comments or suggestions to place the claims in better condition for allowance, it is requested that the Examiner contact Applicants' attorney at the number listed below.

Applicant authorizes any fees required pertaining to this response, including any extensions of time, be charged to Deposit Account No. 50-0568.

Respectfully submitted,



James J. Dottavio
Registration No. 40,360

Date: 5-25-04

Law Dept./Attn. Docket Administrator
Owens-Corning
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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

1. (Previously Presented) A process for reclaiming fibers from a resinous fibrous product comprising the steps of:

(a) selecting an acid for use in an acid bath solution as a function of a type of a resinous residue found on the resinous fibrous product;

(b) inserting the resinous fibrous product into a washer/extractor machine, wherein said resinous fibrous product comprises a form including a strand form and a mat form;

(c) while said resinous fibrous product is in said machine, performing the steps of:

(i) introducing said resinous fibrous product to said acid bath solution heated to approximately 200 degrees Fahrenheit for a period of time sufficient to substantially remove said resinous residue from a fiber portion of the resinous fibrous product;

(ii) removing said acid bath solution and said resinous residue from said washer/extractor machine;

(iii) rinsing said fiber portion to remove any residual acid bath solution and resinous residue;

(d) removing said fiber portion from said washer/extractor machine; and

(e) dewatering said fiber portion.

2. (Original) The process of claim 1 further comprising the step of:

(iv) applying a sizing composition to said fiber portion prior to the step of (d) removing said fiber portion from said washer/extractor machine.

3. (Original) The process of claim 1 further comprising the step of forming a fiberglass mat from said fiber portion after the step of dewatering said fiber portion.

4. (Original) The process of claim 1, wherein the step of (b) inserting the resinous fibrous product within a washer/extractor machine comprises the step of (b) inserting the resinous fibrous product within a single chamber washer/extractor machine.

5. (Original) The process of claim 1, wherein the step of (b) inserting the resinous fibrous product within a washer/extractor machine comprises the step of (b) inserting the resinous fibrous product within an electronically controlled single chamber washer/extractor machine

6. (Original) The process of claim 1, wherein the step of (b) inserting the resinous fibrous product within a washer/extractor machine comprises the step of (b) inserting the resinous fibrous product within a multi-chamber washer/extractor machine.

7. (Original) The process of claim 1, wherein the step of (b) inserting the resinous fibrous product within a washer/extractor machine comprises the step of (b) inserting the resinous fibrous product within an electronically controlled multi-chamber washer/extractor machine.

8. (Original) The method of claim 1, further comprising the step of (f) drying said fiber portion in an oven.

9. (Original) The method of claim 1, wherein the acid bath solution comprises said acid and a quantity of water in a ratio of between ten and fifty percent acid to water by volume.

10. (Original) The method of claim 1, wherein said resinous fibrous product comprises glass fibers.

11. (Original) The method of claim 1, further comprising the steps of:

forming a slurry comprising said fibers and a binder; and

forming a wet-process mat from said slurry.

12. (Previously Presented) The method of claim 11, wherein the step of forming said slurry comprises the step of forming a slurry within said washer/extractor machine, said slurry comprising said fibers and a binder.

13. (Previously Presented) A method for recovering a resinous residue from a resinous fibrous product capable of being further processed into a usable nitrogen product comprising the steps of:

selecting an acid for use in an acid bath solution as a function of a type of the resinous residue found on the resinous fibrous product;

inserting the resinous fibrous product within a washer/extractor machine, wherein the resinous fibrous product is in the form of a plurality of strands or in the form of a mat;

introducing said resinous fibrous product to said acid bath solution heated to approximately 200 degrees Fahrenheit for a period of time sufficient to substantially remove the resinous residue from a fibrous portion of the resinous fibrous product;

removing said acid bath solution and the resinous residue from said washer/extractor machine;

introducing said acid bath solution and the resinous residue into a cooling line to precipitate the resinous residue; and

removing the precipitated resinous residue from said acid bath solution using a clarifier.

14. (Original) The process of claim 13, wherein the step of inserting the resinous fibrous product within a washer/extractor machine comprises the step of inserting the resinous fibrous product within a single chamber washer/extractor machine.

15. (Original) The process of claim 13, wherein the step of inserting the resinous fibrous product within a washer/extractor machine comprises the step of inserting the resinous fibrous product within an electronically controlled single chamber washer/extractor machine.

16. (Original) The process of claim 13, wherein the step of inserting the resinous fibrous product within a washer/extractor machine comprises the step of inserting the resinous fibrous product within a multi-chamber washer/extractor machine.

17. (Original) The process of claim 13, wherein the step of inserting the resinous fibrous product within a washer/extractor machine comprises the step of inserting the resinous fibrous product within an electronically-controlled multi-chamber washer/extractor machine.

18. (Previously Presented) A method for reclaiming fibrous and a resinous residue from a resinous fibrous product in the form of a strand or a mat comprising the steps of:

selecting an acid for use in an acid bath solution as a function of a type of the resinous residue found on the resinous fibrous product;

inserting the resinous fibrous product within a washer/extractor machine;

introducing said resinous fibrous product to said acid bath solution heated to approximately 200 degrees Fahrenheit for a period of time sufficient to substantially remove the resinous residue from a fibrous portion of the resinous fibrous product;

removing said acid bath solution and said resinous residue from said washer/extractor machine;

rinsing said fibrous portion to remove any residual acid bath solution and resinous residue;

removing said fibrous portion from said washer/extractor machine;

dewatering said fibrous portion;

introducing said acid bath solution and said resinous residue into a cooling line to precipitate said resinous residue; and

removing said precipitated resinous residue from said acid bath solution using a clarifier.

19. (Original) The process of claim 18, wherein the step of inserting the resinous fibrous product within a washer/extractor machine comprises the step of inserting the resinous fibrous product within an electronically-controlled single-chamber washer/extractor machine

20. (Original) The process of claim 18, wherein the step of inserting the resinous fibrous product within a washer/extractor machine comprises the step of inserting the resinous fibrous product within a multi-chamber washer/extractor machine.

21. (Original) The process of claim 18, further comprising the step of drying said fibrous portion in an oven.

22. (Original) The process of claim 18, further comprising the step of applying a sizing composition to said fibrous portion prior to the step of removing said fibrous portion from said washer/extractor machine.

23. (Original) The process of claim 18, wherein said acid bath solution comprises said acid and a quantity of water in a ratio of between ten and fifty percent acid to water by volume.

24. (Original) The process of claim 23, wherein said acid is phosphoric acid.

25. (Original) The process of claim 18 further comprising the step of forming a fibrous mat from said fibrous portion after the step of dewatering said fibrous portion.

USPTO PATENT FULL-TEXT AND IMAGE DATABASE

Searching 1976 to present...

Results of Search in 1976 to present db for:
ACLM/"capable of": 191663 patents.
Hits 1 through 50 out of 191663

Next 50 Hits
Jump To

Refine Search ACLM/"capable of"

	PAT. NO.	Title
1	6,738,952	Navigational map data object selection and display system
2	6,738,937	Method for nondisruptive testing of device and host attachment to storage subsystems
3	6,738,931	Reliability assessment method, apparatus and system for quality control
4	6,738,930	Method and system for extending the functionality of an environmental monitor for an industrial personal computer
5	6,738,907	Maintaining a soft-token private key store in a distributed environment
6	6,738,905	Conditional access via secure logging with simplified key management
7	6,738,904	Recordable storage medium with protected data area
8	6,738,900	Method and apparatus for distributing public key certificates
9	6,738,894	Data processor
10	6,738,882	Concurrent multi-processor memory testing beyond 32-bit addresses
11	6,738,832	Methods and apparatus in a logging system for the adaptive logger replacement in order to receive pre-boot information
12	6,738,825	Method and apparatus for automatically provisioning data circuits
13	6,738,817	System and method for enabling graphic applications in an interactive programming model
14	6,738,806	Method and system of deploying an application between computers
15	6,738,798	Automated monitoring of collection of operational data from medical imaging devices
16	6,738,785	Search unit, search system and search method
17	6,738,773	Method and system for transforming data between disparate capacity database systems
18	6,738,772	Access control system having automatic download and distribution of security information
19	6,738,765	Relational text index creation and searching
20	6,738,760	Method and system for providing electronic discovery on computer databases and archives using artificial intelligence to recover legally relevant data
21	6,738,738	Automated transformation from American English to British English

USPTO PATENT FULL-TEXT AND IMAGE DATABASE

Searching 1976 to present...

Results of Search in 1976 to present db for:
ACLM/"capable of" AND EXP/El-Arini: 5 patents.
Hits 1 through 5 out of 5

Jump to

Refine Search ACLM/"capable of" AND EXP/El-Arini

	PAT. NO.	Title
1	6,604,535	Substrate cleaning apparatus and method
2	5,913,982	Water driven bathroom scrub brush system
3	5,716,454	Decontamination of devices and instruments contacted with body tissues
4	5,702,537	Method for removing liquid edge bead
5	5,509,968	Decontamination of orthopaedic implants